

1
2 97. Answering Defendants admit that Article 7 of the Kagman Lease speaks for itself.
3 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
4
97.

5 98. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.
6 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
7
98.

8 99. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.
9 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
10
99.

11 100. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.
12 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
13
100.

14 101. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.
15 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
16
101.

17 102. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.
18 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
19
102.

20 103. Answering Defendants admit that Article 12 of the Kagman Lease speaks for itself.
21 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
22
103.

23 104. Answering Defendants admit each and every allegation contained in paragraph
24 number 104 of the Complaint.

25 105. Answering Defendants admit that Article 23 of the Kagman Lease speaks for itself.
26 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
27
105.

1 106. Answering Defendants admit that Article 19 of the Kagman Lease speaks for itself.
2 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
3 106.

4 107. Answering Defendants admit that Article 26 of the Kagman Lease speaks for itself.
5 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
6 107.

7 108. Answering Defendants admit that Article 27 of the Kagman Lease speaks for itself.
8 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
9 108.

10 109. Answering Defendants admit that Article 28 of the Kagman Lease speaks for itself.
11 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
12 109.

13 110. Answering Defendants admit that Article 35A of the Kagman Lease speaks for
14 itself. Except as expressly admitted, Answering Defendants deny the allegations contained in
15 paragraph 110

16 111. Answering Defendants have insufficient information to form a belief as to the truth
17 of paragraph 111 of Plaintiffs' Complaint and placing their denial on that ground, deny the
18 allegations and each of them and require strict proof thereof.

19 112. Answering Defendants admit that on June 22, 1992, MPLC and MTC executed a
20 Lease Agreement (the "Sinapalu Lease") which was files at the Commonwealth Recorder's Office
21 as File No. 92-2048, dated June 22, 1992. Under the Sinapalu Lease, MPLC is the Lessor, and the
22 MTC is the Lessee. Except as expressly admitted, Answering Defendants deny the allegations
23 contained in paragraph 112.

24 113. Answering Defendants admit each and every allegation contained in paragraph
25 number 113 of the Complaint.

26 114. Answering Defendants admit each and every allegation contained in paragraph
27 number 114 of the Complaint.

1 115. Answering Defendants admit that Article 5 of the Sinapalu Lease speaks for itself.
2 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
3 115.

4 116. Answering Defendants admit that Article 5D of the Sinapalu Lease speaks for itself.
5 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
6 116.

7 117. Answering Defendants admit that Article 6 of the Sinapalu Lease speaks for itself.
8 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
9 117.

10 118. Answering Defendants admit that Article 6 of the Sinapalu Lease speaks for itself.
11 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
12 118.

13 119. Answering Defendants admit each and every allegation contained in paragraph
14 number 119 of the Complaint.

15 120. Answering Defendants admit that Article 7 of the Sinapalu Lease speaks for itself.
16 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
17 120.

18 121. Answering Defendants admit each and every allegation contained in paragraph
19 number 121 of the Complaint.

20 122. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.
21 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
22 122.

23 123. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.
24 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
25 123.

26 124. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.
27 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
28 124.

1 125. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.
2 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
3 125.

4 126. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.
5 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
6 126.

7 127. Answering Defendants admit that Article 12 of the Sinapalu Lease speaks for itself.
8 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
9 127.

10 128. Answering Defendants admit each and every allegation contained in paragraph
11 number 128 of the Complaint.

12 129. Answering Defendants admit that Article 23 of the Sinapalu Lease speaks for itself.
13 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
14 129.

15 130. Answering Defendants admit that Article 19 of the Sinapalu Lease speaks for itself.
16 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
17 130.

18 131. Answering Defendants admit that Article 26 of the Sinapalu Lease speaks for itself.
19 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
20 131.

21 132. Answering Defendants admit that Article 27 of the Sinapalu Lease speaks for itself.
22 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
23 132.

24 133. Answering Defendants admit that Article 28 of the Sinapalu Lease speaks for itself.
25 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
26 133.

1 134. Answering Defendants admit that Article 35A of the Sinapalu Lease speaks for
2 itself. Except as expressly admitted, Answering Defendants deny the allegations contained in
3 paragraph 134.

4 135. Answering Defendants have insufficient information to form a belief as to the truth
5 of paragraph 135 of Plaintiffs' Complaint and placing their denial on that ground, deny the
6 allegations and each of them and require strict proof thereof.

7 136. Answering Defendants admit each and every allegation contained in paragraph
8 number 136 of the Complaint.

9 137. Answering Defendants admit each and every allegation contained in paragraph
10 number 137 of the Complaint.

11 138. Answering Defendants admit that on October 27, 1983, the Franchise was amended.
12 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
13 138.

14 139. Answering Defendants admit that the Franchise speaks for itself. Except as
15 expressly admitted, Answering Defendants deny the allegations contained in paragraph 139.

16 140. Answering Defendants admit that the MTC cable network is buried underground.
17 Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph
18 140.

19 141. Answering Defendants deny each and every allegation contained in paragraph
20 number 141 of the Complaint.

21 142. Answering Defendants admit that they knew that the public lands belong to the
22 Northern Marianas Descent. Except as expressly admitted, Answering Defendants deny the
23 allegations contained in paragraph 142.

24 143. Answering Defendants deny each and every allegation contained in paragraph
25 number 143 of the Complaint.

26 144. Answering Defendants admit each and every allegation contained in paragraph
27 number 144 of the Complaint.

1 145. Answering Defendants deny each and every allegation contained in paragraph
2 number 145 of the Complaint.

3 146. Answering Defendants admit that Fiber Optic Act became law in 1996 and that it
4 speaks for itself. Except as expressly admitted, Answering Defendants deny the allegations
5 contained in paragraph 146.

6 147. The allegations contained in paragraph 147 are conclusions of law to which no
7 response is required; to the extent that they may be deemed allegations of fact, they are denied.

8 148. Answering Defendants admit that Exhibit "G" is a letter dated July 10, 1996 and
9 that letter speaks for itself. Except as expressly admitted, Answering Defendants deny the
10 allegations contained in paragraph 148.

11 149. Answering Defendants admit that MTC layed Fiber Optic cable between Saipan,
12 Tinian and Rota. Except as expressly admitted, Answering Defendants deny the allegations
13 contained in paragraph 149.

14 150. Answering Defendants admit each and every allegation contained in paragraph
15 number 150 of the Complaint.

16 151. Answering Defendants admit each and every allegation contained in paragraph
17 number 151 of the Complaint.

18 152. Answering Defendants admit that on or about May 15, 1997, MTC provided
19 customers 30 minutes free calling between Saipan, Tinian and Rota and reduced its rate from \$0.25
20 per minute to \$0.15 per minute for minutes after the 30 free minutes. Other allegations contained
21 in paragraph 152 are conclusions of law to which no response is required; to the extent that they
22 may be deemed allegations of fact, they are denied.

23 153. Answering Defendants deny each and every allegation contained in paragraph
24 number 153 of the Complaint.

25 154. Answering Defendants have insufficient information to form a belief as to the truth
26 of paragraph 154 of Plaintiffs' Complaint and placing their denial on that ground, deny the
27 allegations and each of them and require strict proof thereof.

1 155. Answering Defendants have insufficient information to form a belief as to the truth
2 of paragraph 155 of Plaintiffs' Complaint and placing their denial on that ground, deny the
3 allegations and each of them and require strict proof thereof.

4 156. In answering the allegations in paragraph 156, Answering Defendants incorporate
5 by reference each and every admission and denial contained in paragraph 1-278 of Answering
6 Defendants' answer.

7 157. Answering Defendants have insufficient information to form a belief as to the truth
8 of paragraph 157 of Plaintiffs' Complaint and placing their denial on that ground, deny the
9 allegations and each of them and require strict proof thereof.

10 158. Answering Defendants deny each and every allegation contained in paragraph
11 number 158 of the Complaint.

12 159. Answering Defendants deny each and every allegation contained in paragraph
13 number 159 of the Complaint.

14 160. Answering Defendants deny each and every allegation contained in paragraph
15 number 160 of the Complaint.

16 161. In answering the allegations in paragraph 161, Answering Defendants incorporate
17 by reference each and every admission and denial contained in paragraph 1-278 of Answering
18 Defendants' answer.

19 162. Answering Defendants have insufficient information to form a belief as to the truth
20 of paragraph 162 of Plaintiffs' Complaint and placing their denial on that ground, deny the
21 allegations and each of them and require strict proof thereof.

22 163. Answering Defendants deny each and every allegation contained in paragraph
23 number 163 of the Complaint.

24 164. Answering Defendants deny each and every allegation contained in paragraph
25 number 164 of the Complaint.

26 165. Answering Defendants deny each and every allegation contained in paragraph
27 number 165 of the Complaint.

1 166. In answering the allegations in paragraph 166, Answering Defendants incorporate
2 by reference each and every admission and denial contained in paragraph 1-278 of Answering
3 Defendants' answer.

4 167. Answering Defendants have insufficient information to form a belief as to the truth
5 of paragraph 167 of Plaintiffs' Complaint and placing their denial on that ground, deny the
6 allegations and each of them and require strict proof thereof.

7 168. Answering Defendants deny each and every allegation contained in paragraph
8 number 168 of the Complaint.

9 169. Answering Defendants deny each and every allegation contained in paragraph
10 number 169 of the Complaint.

11 170. Answering Defendants deny each and every allegation contained in paragraph
12 number 170 of the Complaint.

13 171. In answering the allegations in paragraph 171, Answering Defendants incorporate
14 by reference each and every admission and denial contained in paragraph 1-278 of Answering
15 Defendants' answer.

16 172. Answering Defendants have insufficient information to form a belief as to the truth
17 of paragraph 172 of Plaintiffs' Complaint and placing their denial on that ground, deny the
18 allegations and each of them and require strict proof thereof.

19 173. Answering Defendants deny each and every allegation contained in paragraph
20 number 173 of the Complaint.

21 174. Answering Defendants deny each and every allegation contained in paragraph
22 number 174 of the Complaint.

23 175. Answering Defendants deny each and every allegation contained in paragraph
24 number 175 of the Complaint.

25 176. In answering the allegations in paragraph 176, Answering Defendants incorporate
26 by reference each and every admission and denial contained in paragraph 1-278 of Answering
27 Defendants' answer.

1 177. Answering Defendants have insufficient information to form a belief as to the truth
2 of paragraph 177 of Plaintiffs' Complaint and placing their denial on that ground, deny the
3 allegations and each of them and require strict proof thereof.

4 178. Answering Defendants deny each and every allegation contained in paragraph
5 number 178 of the Complaint.

6 179. Answering Defendants deny each and every allegation contained in paragraph
7 number 179 of the Complaint.

8 180. Answering Defendants deny each and every allegation contained in paragraph
9 number 180 of the Complaint.

10 181. In answering the allegations in paragraph 181, Answering Defendants incorporate
11 by reference each and every admission and denial contained in paragraph 1-278 of Answering
12 Defendants' answer.

13 182. Answering Defendants have insufficient information to form a belief as to the truth
14 of paragraph 182 of Plaintiffs' Complaint and placing their denial on that ground, deny the
15 allegations and each of them and require strict proof thereof.

16 183. Answering Defendants deny each and every allegation contained in paragraph
17 number 183 of the Complaint.

18 184. Answering Defendants deny each and every allegation contained in paragraph
19 number 184 of the Complaint.

20 185. Answering Defendants deny each and every allegation contained in paragraph
21 number 185 of the Complaint.

22 186. Answering Defendants deny each and every allegation contained in paragraph
23 number 186 of the Complaint.

24 187. Answering Defendants deny each and every allegation contained in paragraph
25 number 187 of the Complaint.

26 188. Answering Defendants deny each and every allegation contained in paragraph
27 number 188 of the Complaint.

1 189. In answering the allegations in paragraph 189, Answering Defendants incorporate
2 by reference each and every admission and denial contained in paragraph 1-278 of Answering
3 Defendants' answer.

4 190. Answering Defendants have insufficient information to form a belief as to the truth
5 of paragraph 190 of Plaintiffs' Complaint and placing their denial on that ground, deny the
6 allegations and each of them and require strict proof thereof.

7 191. Answering Defendants deny each and every allegation contained in paragraph
8 number 191 of the Complaint.

9 192. Answering Defendants deny each and every allegation contained in paragraph
10 number 192 of the Complaint.

11 193. Answering Defendants deny each and every allegation contained in paragraph
12 number 193 of the Complaint.

13 194. Answering Defendants deny each and every allegation contained in paragraph
14 number 194 of the Complaint.

15 195. Answering Defendants deny each and every allegation contained in paragraph
16 number 195 of the Complaint.

17 196. Answering Defendants deny each and every allegation contained in paragraph
18 number 196 of the Complaint.

19 197. In answering the allegations in paragraph 197, Answering Defendants incorporate
20 by reference each and every admission and denial contained in paragraph 1-278 of Answering
21 Defendants' answer.

22 198. Answering Defendants have insufficient information to form a belief as to the truth
23 of paragraph 198 of Plaintiffs' Complaint and placing their denial on that ground, deny the
24 allegations and each of them and require strict proof thereof.

25 199. Answering Defendants deny each and every allegation contained in paragraph
26 number 199 of the Complaint.

27 200. Answering Defendants deny each and every allegation contained in paragraph
28 number 200 of the Complaint.

1 201. Answering Defendants deny each and every allegation contained in paragraph
2 number 201 of the Complaint.

3 202. Answering Defendants deny each and every allegation contained in paragraph
4 number 202 of the Complaint.

5 203. Answering Defendants deny each and every allegation contained in paragraph
6 number 203 of the Complaint.

7 204. Answering Defendants deny each and every allegation contained in paragraph
8 number 204 of the Complaint.

9 205. In answering the allegations in paragraph 205, Answering Defendants incorporates
10 by reference each and every admission and denial contained in paragraph 1-278 of Answering
11 Defendants' answer.

12 206. Answering Defendants have insufficient information to form a belief as to the truth
13 of paragraph 206 of Plaintiffs' Complaint and placing their denial on that ground, deny the
14 allegations and each of them and require strict proof thereof.

15 207. Answering Defendants deny each and every allegation contained in paragraph
16 number 207 of the Complaint.

17 208. Answering Defendants deny each and every allegation contained in paragraph
18 number 208 of the Complaint.

19 209. Answering Defendants deny each and every allegation contained in paragraph
20 number 209 of the Complaint.

21 210. Answering Defendants deny each and every allegation contained in paragraph
22 number 210 of the Complaint.

23 211. Answering Defendants deny each and every allegation contained in paragraph
24 number 211 of the Complaint.

25 212. Answering Defendants deny each and every allegation contained in paragraph
26 number 212 of the Complaint.

1 213. In answering the allegations in paragraph 213, Answering Defendants incorporates
2 by reference each and every admission and denial contained in paragraph 1-278 of Answering
3 Defendants' answer.

4 214. Answering Defendants have insufficient information to form a belief as to the truth
5 of paragraph 214 of Plaintiffs' Complaint and placing their denial on that ground, deny the
6 allegations and each of them and require strict proof thereof.

7 215. Answering Defendants deny each and every allegation contained in paragraph
8 number 215 of the Complaint.

9 216. Answering Defendants deny each and every allegation contained in paragraph
10 number 216 of the Complaint.

11 217. Answering Defendants deny each and every allegation contained in paragraph
12 number 217 of the Complaint.

13 218. Answering Defendants deny each and every allegation contained in paragraph
14 number 218 of the Complaint.

15 219. Answering Defendants deny each and every allegation contained in paragraph
16 number 219 of the Complaint.

17 220. Answering Defendants deny each and every allegation contained in paragraph
18 number 220 of the Complaint.

19 221. In answering the allegations in paragraph 221, Answering Defendants incorporate
20 by reference each and every admission and denial contained in paragraph 1-278 of Answering
21 Defendant's answer.

22 222. Answering Defendants admit that entered into possession of the Susupe Premises as
23 a tenant for a term of 20 years which expired on or about June 30, 2000. Except as expressly
24 admitted, Answering Defendants deny the allegations contained in paragraph 222.

25 223. Answering Defendants deny each and every allegation contained in paragraph
26 number 223 of the Complaint.

27 224. Answering Defendants admit that they entered into possession of the As Gonno
28 Premieses, the Garapan Premises, the Kagman Premises, and the Sinapalu as a tenant for a term of

1 years. Except as expressly admitted, Answering Defendants deny the allegations contained in
2 paragraph 224.

3 225. Answering Defendants deny each and every allegation contained in paragraph
4 number 225 of the Complaint.

5 226. Answering Defendants deny each and every allegation contained in paragraph
6 number 226 of the Complaint.

7 227. Answering Defendants deny each and every allegation contained in paragraph
8 number 227 of the Complaint.

9 228. Answering Defendants have insufficient information to form a belief as to the truth
10 of paragraph 228 of Plaintiffs' Complaint and placing their denial on that ground, deny the
11 allegations and each of them and require strict proof thereof.

12 229. Answering Defendants deny each and every allegation contained in paragraph
13 number 229 of the Complaint.

14 230. Answering Defendants deny each and every allegation contained in paragraph
15 number 230 of the Complaint.

16 231. In answering the allegations in paragraph 231, Answering Defendants incorporate
17 by reference each and every admission and denial contained in paragraph 1-278 of Answering
18 Defendant's answer.

19 232. Answering Defendants deny each and every allegation contained in paragraph
20 number 232 of the Complaint.

21 233. Answering Defendants deny each and every allegation contained in paragraph
22 number 233 of the Complaint.

23 234. Answering Defendants deny each and every allegation contained in paragraph
24 number 234 of the Complaint.

25 235. Answering Defendants deny each and every allegation contained in paragraph
26 number 235 of the Complaint.

1 236. In answering the allegations in paragraph 236, Answering Defendants incorporate
2 by reference each and every admission and denial contained in paragraph 1-278 of Answering
3 Defendant's answer.

4 237. Answering Defendants admit each and every allegation contained in paragraph
5 number 237 of the Complaint.

6 238. Answering Defendants deny each and every allegation contained in paragraph
7 number 238 of the Complaint.

8 239. Answering Defendants deny each and every allegation contained in paragraph
9 number 239 of the Complaint.

10 240. Answering Defendants deny each and every allegation contained in paragraph
11 number 240 of the Complaint.

12 241. Answering Defendants deny each and every allegation contained in paragraph
13 number 241 of the Complaint.

14 242. Answering Defendants deny each and every allegation contained in paragraph
15 number 242 of the Complaint.

16 243. Answering Defendants deny each and every allegation contained in paragraph
17 number 243 of the Complaint.

18 244. In answering the allegations in paragraph 244, Answering Defendant incorporates
19 by reference each and every admission and denial contained in paragraph 1-278 of Answering
20 Defendant's answer.

21 245. Answering Defendants deny each and every allegation contained in paragraph
22 number 245 of the Complaint.

23 246. Answering Defendants have insufficient information to form a belief as to the truth
24 of paragraph 246 of Plaintiffs' Complaint and placing their denial on that ground, deny the
25 allegations and each of them and require strict proof thereof.

26 247. Answering Defendants deny each and every allegation contained in paragraph
27 number 247 of the Complaint.

1 248. Answering Defendants deny each and every allegation contained in paragraph
2 number 248 of the Complaint.

3 249. Answering Defendants admit that PTI is the stockholder of MTC. Except as
4 expressly admitted, Answering Defendants deny the allegations contained in paragraph 249.

5 250. Answering Defendant denies each and every allegation contained in paragraph
6 number 250 of the Complaint.

7 251. Answering Defendant denies each and every allegation contained in paragraph
8 number 251 of the Complaint.

9 252. In answering the allegations in paragraph 252, Answering Defendants incorporate
10 by reference each and every admission and denial contained in paragraph 1-278 of Answering
11 Defendants' answer.

12 253. Answering Defendants deny each and every allegation contained in paragraph
13 number 253 of the Complaint.

14 254. Answering Defendants deny each and every allegation contained in paragraph
15 number 254 of the Complaint.

16 255. Answering Defendants have insufficient information to form a belief as to the truth
17 of paragraph 255 of Plaintiffs' Complaint and placing their denial on that ground, deny the
18 allegations and each of them and require strict proof thereof.

19 256. Answering Defendants deny each and every allegation contained in paragraph
20 number 256 of the Complaint.

21 257. Answering Defendants have insufficient information to form a belief as to the truth
22 of paragraph 257 of Plaintiffs' Complaint and placing their denial on that ground, deny the
23 allegations and each of them and require strict proof thereof.

24 258. Answering Defendants deny each and every allegation contained in paragraph
25 number 258 of the Complaint.

26 259. Answering Defendants deny each and every allegation contained in paragraph
27 number 259 of the Complaint.

1 260. Answering Defendants deny each and every allegation contained in paragraph
2 number 260 of the Complaint.

3 261. Answering Defendants deny each and every allegation contained in paragraph
4 number 261 of the Complaint.

5 262. Answering Defendants deny each and every allegation contained in paragraph
6 number 262 of the Complaint.

7 263. Answering Defendants have insufficient information to form a belief as to the truth
8 of paragraph 263 of Plaintiffs' Complaint and placing their denial on that ground, deny the
9 allegations and each of them and require strict proof thereof.

10 264. Answering Defendants deny each and every allegation contained in paragraph
11 number 264 of the Complaint.

12 265. Answering Defendants deny each and every allegation contained in paragraph
13 number 265 of the Complaint.

14 266. In answering the allegations in paragraph 266, Answering Defendants incorporate
15 by reference each and every admission and denial contained in paragraph 1-278 of Answering
16 Defendant's answer.

17 267. Answering Defendants deny each and every allegation contained in paragraph
18 number 267 of the Complaint.

19 268. Answering Defendants deny each and every allegation contained in paragraph
20 number 268 of the Complaint.

21 269. Answering Defendants deny each and every allegation contained in paragraph
22 number 269 of the Complaint.

23 270. Answering Defendants deny each and every allegation contained in paragraph
24 number 270 of the Complaint.

25 271. Answering Defendants deny each and every allegation contained in paragraph
26 number 271 of the Complaint.

27 272. Answering Defendants deny each and every allegation contained in paragraph
28 number 272 of the Complaint.

273. In answering the allegations in paragraph 273, Answering Defendants incorporate by reference each and every admission and denial contained in paragraph 1-278 of Answering Defendant's answer.

274. Answering Defendants deny each and every allegation contained in paragraph number 274 of the Complaint.

275. Answering Defendants deny each and every allegation contained in paragraph number 275 of the Complaint.

276. In answering the allegations in paragraph 276, Answering Defendants incorporate by reference each and every admission and denial contained in paragraph 1-278 of Answering Defendant's answer.

277. Answering Defendants admit that leases speak for themselves. Except as expressly admitted, Answering Defendants deny the allegations contained in paragraph 277.

278. The allegations contained in paragraph 278 are conclusions of law to which no response is required; to the extent that they may be deemed allegations of fact, they are denied.

GENERAL DENIAL

Except for those facts expressly admitted, Answering Defendants generally deny all allegations in the Complaint. Answering Defendant further deny that Plaintiffs are entitled to the relief sought in the prayer contained on pages 48 - 49 of the Complaint or to any relief whatsoever.

AFFIRMATIVE DEFENSES

1. On information and belief, Defendants allege as a First Affirmative Defense, that Plaintiffs fail to state a claim upon a relief can be granted.
 2. On information and belief, Defendants allege as a Second Affirmative Defense, that Plaintiffs' claims are barred by Waiver.

- 1 3. On information and belief, Defendants allege as a Third Affirmative Defense, that
- 2 Plaintiffs' claims are barred by Estoppel.
- 3 4. On information and belief, Defendants allege as a Fourth Affirmative Defense, that
- 4 Plaintiffs' claims are barred by Fraud.
- 5 6. On information and belief, Defendants allege as a Fifth Affirmative Defense, that
- 6 Plaintiffs' claims are barred by the Statute of Limitations.
- 7 7. On information and belief, Defendants allege as a Sixth Affirmative Defense, that
- 8 Plaintiffs' claims are barred by Illegality.
- 9 8. On information and belief, Defendants allege as a Seventh Affirmative Defense,
- 10 that Plaintiffs' claims are barred by Laches.
- 11 9. On information and belief, Defendants allege as an Eighth Affirmative Defense,
- 12 that Plaintiffs' claims are barred by Unclean hands.
- 13 10. On information and belief, Defendants allege as a Ninth Affirmative Defense,
- 14 that Plaintiffs' claims are barred by Release.
- 15 11. On information and belief, Defendants allege as a Tenth Affirmative Defense,
- 16 that Plaintiffs' claims are barred by Statute of Frauds.
- 17 12. On information and belief, Defendants allege as an Eleventh Affirmative Defense,
- 18 that Plaintiffs' claims are limited because Plaintiff has not suffered damage or
- 19 because of Plaintiff's failure to mitigate damages.
- 20 13. On information and belief, Defendants allege as a Twelve Affirmative Defense,
- 21 that Plaintiffs' claims are preempted by Federal Law and/or the United States
- 22 Constitution.

1
2 **WHEREFORE, DEFENDANT PRAYS THAT:**
3
4

- 5
- 6 1. Plaintiffs take nothing by their complaint;
7
8 2. Answering Defendants be awarded costs of this action and reasonable attorneys
9 fees;
10
11 3. For such further relief as the Court deems just and proper.

12
13 Dated this 8th day of December, 2005.
14

15
16
17
18
19
20
21
22
23
24
25
26
27
28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

152

153

154

155

156

157

158

159

160

161

162

163

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

210

211

212

213

214

215

216

217

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

254

255

256

257

258

259

260

261

262

263

264

265

266

267

268

269

270

271

272

273

274

275

276

277

278

279

280

281

282

283

284

285

286

287

288

289

290

291

292

293

294

295

296

297

298

299

300

301

302

303

304

305

306

307

308

309

310

311

312

313

314

315

316

317

318

319

320

321

322

323

324

325

326

327

328

329

330

331

332

333

334

335

336

337

338

339

340

341

342

343

344

345

346

347

348

349

350

351

352

353

354

355

356

357

358

359

360

361

362

363

364

365

366

367

368

369

370

371

372

373

374

375

376

377

378

379

380

381

382

383

384

385

386

387

388

389

390

391

392

393

394

395

396

397

398

399

400

401

402

403

404

405

406

407

408

409

410

411

412

413

414

415

416

417

418

419

420

421

422

423

424

425

426

427

428

429

430

431

432

433

434

435

436

437

438

439

440

441

442

443

444

445

446

447

448

449

450

451

452

453

454

455

456

457

458

459

460

461

462

463

464

465

466

467

468

469

470

471

472

473

474

475

476

477

478

479

480

481

482

483

484

485

486

487

488

489

490

491

492

493

494

495

496

497

498

499

500

501

502

503

504

505

506

507

508

509

510

511

512

513

514

515

516

517

518

519

520

521

522

523

524

525

526

527

528

529

530

531

532

533

534

535

536

537

538

539

540

541

542

543

544

545

546

547

548

549

550

551

552

553

554

555

556

557

558

559

560

561

562

563

564

565

566

567

568

569

570

571

572

573

574

575

576

577

578

579

580

581

582

583

584

585

586

587

588

589

590

591

592

593

594

595

596

597

598

599

600

601

602

603

604

605

606

607

608

609

610

611

612

613

614

615

616

617

618

619

620

621

622

623

624

625

626

627

628

629

630

631

632

633

634

635

636

637

638

639

640

641

642

643

644

645

646

647

648

649

650

651

652

653

654

655

656

657

658

659

660

661

662

663

664

665

666

667

668

669

670

671

672

673

674

675

676

677

678

679

680

681

682

683

684

685

686

687

688

689

690

691

692

693

694

695

696

697

698

699

700

701

702

703

704

705

706

707

708

709

710

711

712

713

714

715

716

717

718

719

720

721

722

723

724

725

726

727

728

729

730

731

732

733

734

735

736

737

738

739

740

741

742

743

744

745

746

747

748

749

750

751

752

753

754

755

756

757

758

759

760

761

762

763

764

765

766

767

768

769

770

771

772

773

774

775

776

777

778

779

780

781

782

783

784

785

786

787

788

789

790

791

792

793

794

795

796

797

798

799

800

801

802

803

804

805

806

807

808

809

810

811

812

813

814

815

816

817

818

819

820

821

822

823

824

825

826

827

828

829

830

831

832

833

834

835

836

837

838

839

840

841

842

843

844

845

846

847

848

849

850

851

852

853

854

855

856

857

858

859

860

861

862

863

864

865

866

867

868

869

870

871

872

873

874

875

876

877

878

879

880

881

882

883

884

885

886

887

888

889

890

891

892

893

894

895

896

897

898

899

900

901

902

903

904

905

906

907

908

909

910

911

912

913

914

915

916

917

918

919

920

921

922

923

924

925

926

927

928

929

930

931

932

933

934

935

936

937

938

939

940

941

942

943

944

945

946

947

948

949

950

951

952

953

954

955

956

957

958

959

960

961

962

963

964

965

966

967

968

969

970

971

972

973

974

975

976

977

978

979

980

981

982

983

984

985

986

987

988

989

990

991

992

993

994

995

996

997

998

999

1000

1001

1002

1003

1004

1005

1006

1007

1008

1009

1010

1011

1012

1013

1014

1015

1016

1017

1018

1019

1020

1021

1022

1023

1024

1025

1026

1027

1028

1029

1030

1031

1032

1033

1034

1035

1036

1037

1038

1039

1040

1041

1042

1043

1044

1045

1046

1047

1048

1049

1050

1051

1052

1053

1054

1055

1056

1057

1058

1059

1060

1061

1062

1063

1064

1065

1066

1067

1068

1069

1070

1071

1072

1073

1074

1075

1076

1077

1078

1079

1080

1081

1082

1083

1084

1085

1086

1087

1088

1089

1090

1091

1092

1093

1094

1095

1096

1097

1098

1099

1100

1101

1102

1103

1104

1105

1106

1107

1108

1109

1110

1111

1112

1113

1114

1115

1116

1117

1118

1119

1120

1121

1122

1123

1124

1125

1126

1127

1128

1129

1130

1131

1132

1133

1134

1135

1136

1137

1138

1139

1140

1141

1142

1143

1144

1145

1146

1147

1148

1149

1150

1151

1152

1153

1154

1155

1156

1157

1158

1159

1160

1161

1162

1163

1164

1165

1166

1167

1168

1169

1170

1171

1172

1173

1174

1175

1176

1177

1178

1179

1180

1181

1182

1183

1184

1185

1186

1187

1188

1189

1190

1191

1192

1193

1194

1195

1196

1197

1198

1199

1200

1201

1202

1203

1204

1205

1206

1207

1208

1209

1210

1211

1212

1213

1214

1215

1216

1217

1218

1219

1220

1221

1222

1223

1224

1225

1226

1227

1228

1229

1230

1231

1232

1233

1234

1235

1236

1237

1238

1239

1240

1241

1242

1243

1244

1245

1246

1247

1248

1249

1250

1251

1252

1253

1254

1255

1256

1257

1258

1259

1260

1261

1262

1263

1264

1265

1266

1267

1268

1269

1270

1271

1272

1273

1274

1275

1276

1277

1278

1279

1280

1281

1282

1283

1284

1285

1286

1287

1288

1289

1290

1291

1292

1293

1294

1295

1296

1297

1298

1299

1300

1301

1302

1303

1304

1305

1306

1307

1308

1309

1310

1311

1312

1313

1314

1315

1316

1317

1318

1319

1320

1321

1322

1323

1324

1325

1326

1327

1328

1329

1330

1331

1332

1333

1334

1335

1336

1337

1338

1339

1340

1341

1342

1343

1344

1345

1346

1347

1348

1349

1350

1